



December 21, 2022

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Via ECF Only

Honorable Mary Kay Vyskocil
United States District Judge
United States District Court
Southern District Court of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 12/21/2022

Re: **Stephen Gannon, individually and on behalf of all others
similarly situated, v. 259 Broome LLC et. al.**
Docket No. **1:22-CV-1684 (MKV)**
File No: **24529.00001**

Dear Judge Vyskocil:

Our office represents Defendant 259 Broome LLC (“259 Broome”) in the above-referenced matter. Pursuant to Your Honor’s Rule 2(G), we respectfully write to request an adjournment of the January 9, 2023 Initial Pre-Trial Conference and of the attendant due dates for the parties’ joint letter and proposed scheduling order. We have been unable to ascertain whether Plaintiff or Co-Defendant Two Bikes LLC (“Two Bikes”) consent to this request as we reached out to both and neither have responded to our overtures.

We make this request because defense counsel currently have a scheduling conflict that will prevent timely attendance at the conference. In addition, because Two Bikes has until January 4, 2023 to respond to 259 Broome’s cross-claims, adjourning the Initial Pre-Trial Conference would serve to place all issues before the Court in one conference and consolidate scheduling.

Although the other parties have not returned our email, in order to prevent any additional scheduling conflicts, our office proposes the following alternate dates for the initial conference: Any other day for the week of 1/9/2023 and any day of the week of 1/16/2023.

This is the first request for an adjournment of the initial conference for this matter and it will affect the submission of our proposed scheduling order in the matter that is currently due on January 2, 2023.

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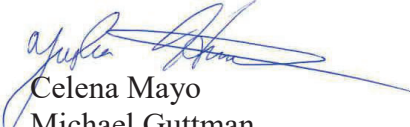
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We thank the Court for its time and attention to this matter.

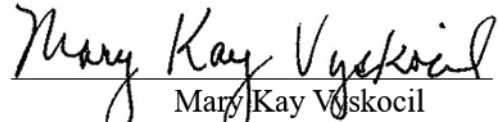
Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP


Celena Mayo
Michael Guttman
Yusha D. Hiranman

Granted. SO ORDERED. The Initial Conference is
ADJOURNED to January 19, 2023 at 10:30 a.m. The joint
letter and proposed Case Management Plan is due January
12, 2023.

Date: Dec. 21, 2022
New York, New York


Mary Kay Vyskocil
United States District Judge